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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Kevin Conley

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6185

22434

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09/11/2006

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EXAMINER

CAMPOS, YAIMA

ART UNIT

PAPER NUMBER

2185

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/754,483	Applicant(s) CONLEY ET AL.	
	Examiner Yaima Campos	Art Unit 2185	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. The examiner acknowledges the applicant's submission of the amendment dated June 20, 2006. At this point, claim 13 has been amended, and no claims have been cancelled. There are 35 claims pending in the application; there are 5 independent claims and 30 dependent claims, all of which are ready for examination by the examiner.

I. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-35** are rejected under 35 U.S.C. 102(e) as being anticipated by Suda (US 2004/0123059).

3. As per **claim 1**, Suda discloses “A method for reading data from a memory card that provides non-volatile data storage,” as [**“the present invention relates to a memory card authentication system, a memory card host device, a memory card, a storage area switching method, and a storage area switching program, which are capable of switching plural storage areas” (Page 1, paragraph 0003)**] “said method comprising: (a) accessing volume information from a first volume of non-volatile data storage of the memory card; (b) determining whether one or multiple volumes are present on the memory card based on the

volume information;” [With respect to this limitation, Suda discloses that “the memory card host device 1 includes a plural area authentication module 21 for judging whether or not a memory card subject to exchanging information has plural storage areas therein” (Figure 1 and Page 2, paragraph 0027, lines 1-4)] “(c) operating the memory card as providing only the first volume when said determining (b) determines that one volume is present on the memory card, the non-volatile data storage of the memory card being assigned to the one volume;” [With respect to this limitation, Suda discloses “where a judgment is made that there is only a single storage area, then normal processing takes place” (Pages 2-3, paragraph 0033, lines 10-11)] “and (d) operating the memory card as providing a plurality of volumes when said determining (b) determines that multiple volumes are present on the memory card, one of the plurality of volumes being the first volume, and the non-volatile data storage being divided amongst the plurality of volumes” [Suda discloses this limitation as when judgment determines that a plurality of storage areas exist, then “the memory card switches storage areas so as to refer to a desired storage area” (Page 3, paragraph 0034, lines 1-3) and explains that “when the area has changed normally,” then “data processing of the memory card by the memory card host device is performed” (Page 3, paragraph 0035, lines 8-10)].

4. As per claim 2 and 21, Suda discloses “A method as recited in claims 1 and 20,” [See rejection to claim 1 above and rejection to claim 20 bellow] “wherein the memory card includes a switch that has a plurality of switch positions,” [With respect to this limitation, Suda discloses “a large-capacity memory card which is arranged to switch plural storage areas with the use of mechanical switches provided on a housing” (Page 5, paragraph 0068 and paragraph 0069 (*see bellow*))] “and wherein said operating (d) includes at least: (d1)

determining a switch position for the switch; and (d2) selectively enabling one of the plurality of volumes based on the switch position” [Suda discloses this limitation as “It is possible to select any one of the storage areas 11a and 11b of the memory card 3 by use of the mechanical switches 16a and 16b provided on the housing of the memory card 3. For example, when the mechanical switches 16a and 16b are set to positions marked as "1", the controller 10 reflects the state of the switches to the first internal register 12a, thereby allowing a memory card host device to handle the first storage area 11a. Similarly, when the mechanical switches 16a and 16b are set to positions marked as "2", the controller 10 reflects the state of the switches to the internal register 12a, thereby allowing the memory card host device to handle the second storage area 11b. Although FIG. 7 schematically shows the single internal register 12a, it is acceptable if the memory card 3 includes the plural internal registers 12a, 12b, 12c, and 12d for the respective plural storage areas as shown in FIG. 1. Alternatively, it is also acceptable that the memory card 3 includes the internal register 18 for the plural storage areas as shown in FIG. 3” (Page 5, paragraph 0069)].

5. As per claims 3 and 4, Suda discloses “A method as recited in claim 2,” [See rejection to claim 2 above] “wherein the switch has at least a first position and a second position, and wherein said operating (d) further includes at least:” [See rejection to claim 2 above] “(d3) imposing an address offset when the switch is in the second position; wherein the address offset enables the memory card to provide more data storage capacity than available with a file system using 16-bit addressing” [Suda discloses this concept as “it is possible to maintain compatibility with a conventional memory card host device by setting the storage area

having the file system that can be controlled by the conventional memory card host device as the storage area accessible when the power supply is turned on. Regarding the other storage areas, it is possible to moderate limitations of the storage capacities by changing the file systems thereof into file systems adopting new methods” (Page 5, paragraph 0066).

Suda also explains that the size of storage areas “does not exceed the marginal capacity which can be handled by using a single file system. For example, when the FAT 16 is used as the file system, the marginal capacity is equal to 2 gigabytes” (Page 2, paragraph 0028, lines 14-17) and that “a conventional command length can only express an address up to the second storage area 11b. However, with the use of the address expressed with blocks enables expression of a large-capacity address” (Figure 5 and Page 4, paragraph 0057, lines 17-20)].

6. As per claim 5, Suda discloses “A method as recited in claim 2, wherein the switch has at least a first position and a second position,” [See rejection to claim 2 above] “wherein, when the switch position is in the first position and the memory card is operated as providing the plurality of volumes, the first volume of the non-volatile data storage is accessed, and wherein, when the switch position is in the second position and the memory card is operated as providing the plurality of volumes, a second volume of the non-volatile data storage is accessed” [With respect to this limitation, Suda discloses that “It is possible to select any one of the storage areas 11a and 11b of the memory card 3 by use of the mechanical switches 16a and 16b provided on the housing of the memory card 3. For example, when the mechanical switches 16a and 16b are set to positions marked as “1”, the controller 10 reflects the state of the switches to the first internal register 12a, thereby allowing a memory card host device to

handle the first storage area 11a” (Page 5, paragraph 0069) as changing the position of a switch to select different memory regions].

7. As per claim 6, Suda discloses “A method as recited in claim 5,” [See rejection to claim 5 above] “wherein the memory card is formatted into either one of a single volume or a pair of volumes, the pair of volumes being the first volume and the second volume” [With respect to this limitation, Suda discloses that “where a judgment is made that there is only a single storage area, then normal processing takes place” (Page 3, paragraph 0033, lines 10-11) as an instance when a memory card is manages as a single storage area. Suda also discloses that when judgment determines that a plurality of storage areas exist, then “the memory card switches storage areas so as to refer to a desired storage area” (Page 3, paragraph 0034, lines 1-3) and explains that “when the area has changed normally,” then “data processing of the memory card by the memory card host device is performed” (Page 3, paragraph 0035, lines 8-10) as having a plurality of volumes].

8. As per claims 7, 10, 17 and 32, Suda discloses “A method as recited in claims 6, 13 and 28,” [See rejection to claim 6 above and rejection to claims 13 and 28 bellow] “wherein the total non-volatile data storage for the memory card is formatted into the first volume of X gigabytes as the single volume, or formatted into the first and second volumes of X/2 gigabytes each as the pair of volumes” [Suda discloses this concept as a memory card that can have either a single storage area or a plurality of storage areas wherein “The size thereof does not exceed the marginal capacity which can be handled by a single file system. For example, when the FAT 16 is used as the file system, the marginal capacity is equal to 2 gigabytes. In this event, the marginal capacity of the entire memory card is equivalent to 8

gigabytes when the memory card includes four storage areas as shown in FIG. 1, and is 10 gigabytes when the memory card includes five storage areas or 12 gigabytes when the memory card includes six storage areas” (Page 2, paragraph 0028) as having different memory capacities, depending on the number of partitions/storage areas within a memory card].

9. As per claims 8 and 9, Suda discloses “A method as recited in claim 1,” [See rejection to claim 1 above] “wherein said method further comprises: (e) detecting activation of the memory card, and wherein said accessing (a), said determining (b), and said operating (c) or (d) are performed once said detecting (e) detects the activation of the memory card” wherein “the activation of the memory card occurs upon power-on of the memory card or upon insertion of the memory card into a host device” [With respect to this limitation, Suda discloses “a memory card authentication system according to the first embodiment of the present invention includes a memory card host device 1, a memory card 3, and a bus 2 for transmitting and receiving data” (Page 2, paragraph 0026) and also discloses, “the memory card 3 as shown in fig. 4A is in a state where the power supply is turned on. In this event, it is possible to handle the first storage area 11a” (Page 4, paragraph 0049)].

10. As per claims 11-12, 15-16 and 30-31, Suda discloses “A method as recited in claim 1, 13 and 30-31,” [See rejection to claim 1 above] “when said determining (b) determines that one volume is present on the memory card, the first volume having a FAT-32 file format” and “when said determining (b) determines that multiple volumes are present on the memory card, each of the multiple volumes having a FAT-16 file format” [Suda teaches this limitation as “when a memory card host device applies a certain file system and the maximum capacity which the

file system can handle is .alpha., then the first embodiment enables the memory card host device to handle a memory card having a total capacity larger than .alpha. by having a configuration with plural storage areas each having a capacity less than .alpha. inside the memory card enabling the handling of a total capacity larger than .alpha..” (Page 2, paragraph 0025) as teaching a memory that can adopt any type of file system present in a host device connected to the memory card. Suda also provides an example in which “FAT 16 is used as the file system” (Page 2, paragraph 0028)].

11. As per claims 13-14, 24 and 28-29, Suda discloses “A memory card capable of being configured as a single partition of a first size or as multiple partitions of a second size,” as [“the present invention relates to a memory card authentication system, a memory card host device, a memory card, a storage area switching method, and a storage area switching program, which are capable of switching plural storage areas” (Page 1, paragraph 0003); and also teaches that “the memory card host device 1 includes a plural are authentication module 21 for judging whether or not a memory card subject to exchanging information has plural storage areas therein” (Figure 1 and Page 2, paragraph 0027, lines 1-4) and explains that “it is possible to handle a storage capacity larger than the marginal capacity of the file system by means of providing plural storage areas” (Page 2, paragraph 0030, lines 1-4)] “said memory card comprising: non-volatile data storage that provides data storage, said non-volatile data storage being configured to include at least a first partition and to store partition information describing at least the first partition;” [Suda discloses this concept as “Fig. 1 shows the conventional memory card, in which flags are added to conventional reserved areas” (Page 3, paragraph 0039, lines 1-2) wherein “information indicating the

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corresponding storage area number is added hereto” (Page 3, paragraph 0039, lines 12-13) and “information indicating the quantity of the storage areas is added hereto”(Page 3, paragraph 0039, lines 25-26)] “a switch being set in one of a plurality of switch positions;” [With respect to this limitation, Suda discloses “a large-capacity memory card which is arranged to switch plural storage areas with the use of mechanical switches provided on a housing” (Page 5, paragraph 0068, lines 2-3)] “and a controller that manages access to the data stored in said non-volatile data storage,” [Suda discloses this limitation as “the controller 10 receives a command and data from the memory card host device 1 through the bus 2, and controls the storage areas based on the command and the data to the memory card” (Page 2, paragraph 0028, lines 6-9)] “wherein said controller examines the partition information stored in said non-volatile data storage to determine whether the single partition or the multiple partitions are being used based on the partition information,” [With respect to this limitation, Suda discloses having “information indicating the quantity of storage areas” (Page 3, paragraph 0039, lines 25-26) and explains that “the memory card host device 1 refers to the reserved areas in accordance with the response from the controller 10 and interprets the flags” (Page 3, paragraph 0040, lines 10-13) which indicate the amount of storage areas being used] “wherein when said controller determines that the single partition is used, said non-volatile data storage is addressed as a single volume,” [With respect to this limitation, Suda discloses “where a judgment is made that there is only a single storage area, then normal processing takes place” (Pages 2-3, paragraph 0033, lines 10-11)] “and wherein when said controller determines that the multiple partitions are being used, said non-volatile data storage is addressed as multiple partitions based on the switch position of said switch” [Suda discloses this

limitation as when judgment determines that a plurality of storage areas exist, then “the memory card switches storage areas so as to refer to a desired storage area” (Page 3, paragraph 0034, lines 1-3) and explains that “when the area has changed normally,” then “data processing of the memory card by the memory card host device is performed” (Page 3, paragraph 0035, lines 8-10). Suda also discloses “mechanical switches 16a and 16b for selecting one of the plural storage areas, and a controller 10 for reflecting the storage area selected by the mechanical switches” (Page 5, paragraph 0069, lines 1-4)].

12. As per claim 18, 25 and 34, Suda discloses “A memory card as recited in claim 13,” [See rejection to claim 13 above] “wherein said memory card is a FLASH memory device” [With respect to this limitation, Suda discloses that “the memory card 3 corresponds to a secure digital (SD) memory card” (Page 2, paragraph 0029, lines 1-2) wherein “a copyright protection function corresponding to the secure digital music initiative (SDMI) standard, and is upward compatible with a multimedia card (MMC). The SD memory card is a memory card based on the SDMI standard which has been jointly developed by three companies Toshiba Corporation, Matsushita Electric Industrial Co., Ltd., and SanDisk Corporation” (Page 2, paragraph 0029) and explains addressing the memory card in block units instead of byte units (Page 4, paragraph 0057), which is equivalent to having a flash memory card].

13. As per claim 19-20, and 22-23, claims 19-20, and 22-23 are rejected for the same reasons as recited above for claim 13; further requiring:

“means for accessing volume information from a first volume of non-volatile data storage of said memory device;” (*page 3, paragraph 0012, lines 7-8 and page 9, paragraph 0043, lines of*

applicant's specification identifies this means as "controller 402") [With respect to this limitation, Suda discloses "the controller 10 receives a command and data from the memory card host device 1 through the bus 2, and controls the storage areas based on the command and the data to the memory card" (Page 2, paragraph 0028, lines 6-9) and that "information indicating the quantity of storage areas" (Page 3, paragraph 0039, lines 25-26) and explains that "the memory card host device 1 refers to the reserved areas in accordance with the response from the controller 10 and interprets the flags" (Page 3, paragraph 0040, lines 10-13) which indicate the amount of storage areas being used"] "means for determining whether one or multiple volumes are present on said memory device based on the volume information;" (*page 3, paragraph 0012 and page 9, paragraph 0043, lines of applicant's specification identifies this means as "controller 402")* With respect to this limitation, Suda discloses "where a judgment is made that there is only a single storage area, then normal processing takes place" (Pages 2-3, paragraph 0033, lines 10-11)] "and means for operating said memory card based on a configuration of said memory device into the one or multiple volumes that said means for determining determines to be present on said memory device" (*page 9, paragraph 0044, lines 4-6 defines this means as "memory controller 402")* [Suda discloses this limitation as when judgment determines that a plurality of storage areas exist, then "the memory card switches storage areas so as to refer to a desired storage area" (Page 3, paragraph 0034, lines 1-3) and explains that "when the area has changed normally," then "data processing of the memory card by the memory card host device is performed" (Page 3, paragraph 0035, lines 8-10). Suda also discloses "mechanical switches 16a and 16b for selecting one of the plural storage areas, and a controller 10 for

reflecting the storage area selected by the mechanical switches” (Page 5, paragraph 0069, lines 1-4)].

14. As per claim 26, Suda discloses “A method for reading data from a memory card that provides non-volatile data storage,” as [“**the present invention relates to a memory card authentication system, a memory card host device, a memory card, a storage area switching method, and a storage area switching program, which are capable of switching plural storage areas**” (Page 1, paragraph 0003)] “said method comprising: (a) accessing a switch position of a switch on the memory card; (b) determining whether one or multiple volumes are present on the memory card based on the switch position;” [With respect to this limitation, Suda discloses “It is possible to select any one of the storage areas 11a and 11b of the memory card 3 by use of the mechanical switches 16a and 16b provided on the housing of the memory card 3. For example, when the mechanical switches 16a and 16b are set to positions marked as “1”, the controller 10 reflects the state of the switches to the first internal register 12a, thereby allowing a memory card host device to handle the first storage area 11a” (Page 5, paragraph 0069) as changing the position of a switch to select different memory regions. Suda also provides an example as “when the mechanical switches 16a and 16b are set to positions marked as “1”, the controller 10 reflects the state of the switches to the first internal register 12a, thereby allowing a memory card host device to handle the first storage area 11a” (Page 5, paragraph 0069, lines 6-9)] “(c) operating the memory card as providing only the first volume when said determining (b) determines that one volume is present on the memory card, the non-volatile data storage of the memory card being assigned to the one volume[With respect to this limitation, Suda discloses

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“where a judgment is made that there is only a single storage area, then normal processing takes place” (Pages 2-3, paragraph 0033, lines 10-11)] “and (d) operating the memory card as providing a plurality of volumes when said determining (b) determines that multiple volumes are present on the memory card, one of the plurality of volumes being the first volume, and the non-volatile data storage being divided amongst the plurality of volumes” [Suda discloses this limitation as when judgment determines that a plurality of storage areas exist, then “the memory card switches storage areas so as to refer to a desired storage area” (Page 3, paragraph 0034, lines 1-3) and explains that “when the area has changed normally,” then “data processing of the memory card by the memory card host device is performed” (Page 3, paragraph 0035, lines 8-10)].

15. As per claim 27, 33 and 35. A method as recited in claim 26, “wherein the switch has three-positions” or “N+1 switch positions” **[With respect to this limitation, Suda discloses “mechanical switches 16a and 16b for selecting one of the plural storage areas, and a controller 10 for reflecting the storage area selected by the mechanical switches 16a and 16b to an internal register 12a. It is possible to select any of the storage areas 11a and 11b of the memory card 3 by use of the mechanical switches 16a and 16b provided on the housing of the memory card 3” (Page 5, paragraph 0069, lines 1-9); therefore, the switch as provided in the invention may have a plurality of positions, including three or more].**

II. ACKNOWLEDGMENT OF ISSUES RAISED BY THE APPLICANT

Response to Amendment

2. Applicant's arguments filed June 20, 2006 have been fully considered and are not persuasive.
3. As required by M.P.E.P. § 707.07(f), a response to these arguments appears below.

III. ARGUMENTS CONCERNING PRIOR ART REJECTIONS

1st POINT OF ARGUMENT:

4. Regarding applicant's remarks that Suda does not teach or suggest "any examination of volume information, such as file format, to determine whether a single volume or multiple volumes are present on the memory card," it is the Examiner's position that Suda's disclosure meets all of the limitations required by the claims. Claim 1 requires "accessing volume information from a first volume of non-volatile data storage of the memory card" and "determining whether one or multiple volumes are present on the memory card based on the volume information" which Suda discloses as [**"the memory card host device 1 includes a plural area authentication module 21 for judging whether or not a memory card subject to exchanging information has plural storage areas therein"** (Figure 1 and Page 2, paragraph 0027, lines 1-4) wherein **"It is possible to allow the memory card host device 1 to execute a procedure for reading out internal register values of the memory card and a procedure for judging whether or not the memory card has plural storage areas by mean of reading out the storage switching program form the program storage device"** (Page 2, Paragraph 0027) and **"at least one internal register 12a with a flag indicating the quantity of the storage areas added to a reserved area thereof"** (Page 2, Paragraph 0028)]. Applicant should note

that as the “internal register 18” stores the number of areas inside a memory card, this number of areas corresponds to the claimed “volume information.” The number of areas inside a memory card represents the number of volumes inside a memory card, and therefore, represents “volume information.”

2nd POINT OF ARGUMENT:

5. Regarding applicant’s remarks that Suda does not disclose the limitation of “accessing a switch position of a switch on the memory card; determining whether one **OR** multiple volumes are present on the memory card based on the switch position” (claim 26), it is the examiner’s position that Suda’s disclosure meets of the limitations required by the claim language [See rejection to claim 26 above]. Applicant should note that Suda explains that [**“in the third embodiment, description will be made regarding a large-capacity memory card which is arranged switch plural storage areas with the use of mechanical switches provided on a housing”** (Page 5, Paragraph 0068) wherein **“the controller 10 reflects the state of the switches to the first internal register 12a, thereby allowing a memory card host device to handle the first storage area 11a”** (Page 5, paragraph 00269, lines 6-9) and also explains having **“one internal register 12a with a flag indicating the quantity of the storage areas”** (Page 2, Paragraph 0028) wherein **“It is possible to allow the memory card host device 1 to execute a procedure for reading out internal register values of the memory card and a procedure for judging whether or not the memory card has plural storage areas by mean of reading out the storage switching program form the program storage device”** (Page 2, Paragraph 0027)]. Furthermore, the position of a switch will indicate a storage area being accessed from multiple or plural areas available in the memory card; therefore, indicating that

the memory card comprises plural storage areas, as required by the claim language. Furthermore, Applicant should note **[the memory card is only able to switch storage areas when multiple storage areas are present (Page 4, Paragraphs 0049-0050)]**.

6. All arguments by the applicant are believed to be covered in the body of the office action or in the above remarks and thus, this action constitutes a complete response to the issues raised in the remarks dated June 20, 2006.

IV. CLOSING COMMENTS

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. 1.136(a).

A shortened statutory period for reply to this final action is set to expire three months from the mailing date of this action. In the event a first reply is filed within **two months** of the mailing date of this final action and the advisory action is not mailed until after the end of the **three-month** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **six months** from the mailing date of the final action.

V. STATUS OF CLAIMS IN THE APPLICATION

8. The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. § 707.07(i)**:

a(1) CLAIMS REJECTED IN THE APPLICATION

9. Per the instant office action, **claims 1-35** have received a second action on the merits and are subject of a final rejection.
10. For at least the above reasons it is the examiner's position that the applicant's claims are not in condition for allowance.

VI. DIRECTION OF ALL FUTURE REMARKS

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaima Campos whose telephone number is (571)-272-1232. The examiner can normally be reached on Monday to Friday 8:30 AM to 5:00 PM.

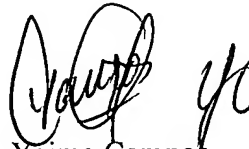
IMPORTANT NOTE

12. If attempts to reach the above noted Examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Sanjiv Shah, can be reached at the following telephone number: Area Code (571) 272-4098.
13. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions

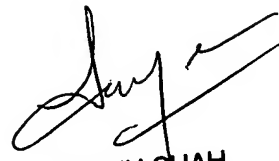
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on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 23, 2006



Yaima Campos
Examiner
Art Unit 2185



SANJIV SHAH
PRIMARY EXAMINER